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(BT)

July 25, 2002

Jill Wolfe

7-25-02

SIGNATURE

DATE

COPY OF PAPERS  
ORIGINALLY FILED

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant

Gary J. Locke

**RECEIVED**

Serial No.

09/834,067

AUG 02 2002

Filing Date

April 12, 2001

Technology Center 2100

For

MODULAR SYSTEM AND METHOD  
FOR CONTROLLING A MATERIAL  
HANDLING SYSTEM

Group Art Unit

2123

Attorney Docket No.

LM(F)5728

Cleveland, Ohio 44114

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

1. Pursuant to 37 CFR §1.97 and §1.98, and in compliance with CFR §1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed. Applicant(s) make no admission that the enclosed documents are prior art to the present invention.
2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a corresponding U.S. Patent is enclosed or a concise explanation of the relevance of the document is set forth on an attached sheet, or a copy of an English-language search report is attached.

3. Pursuant to 37 CFR §1.97(b) this Statement is being filed (one must be checked):

- (a)  Within 3 months of the filing date or date of entry into the National Stage.
- (b)  Before the mailing date of a first Office Action on the merits.
- (c)  After the period set forth in 37 CFR §1.97(b) but before the mailing date of either a final action or a notice of allowance, or an action that otherwise closes prosecution in the application.
- 1)  A certification is given below,
- 2)  Enclosed is a check covering the fee (\$180.00) set forth in §1.17(p) for consideration of this Statement, or
- 3)  Charge the fee set forth in 37 CFR §1.17(p) to Deposit Account No. 20-0090.
- (d)  After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. The required certification and fee is indicated below.
- 1)  Enclosed is a check covering the fee set forth in 37 CFR §1.17(p) \$180, or
- 2)  Charge the fee set forth in 37 CFR §1.17(p) to Deposit Account No. 20-0090.

4. Certification (if applicable):

- (a)  The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Statement.

- (b)  The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry no item of information contained in the Statement was known to any individual designated in 37 CFR §1.56(c) more than 3 months prior to the filing of this Statement.
5. The Commissioner is hereby authorized to charge any additional fees, fees underpaid, or credit any overpayment with regard to this Statement to Deposit Account No. 20-0090.
6. Concise Explanation (if needed):

- (1)  Below is a Concise Statement of Relevance of enclosed non-English language document(s).

**U.S. PATENTS**

U.S. Patent 5,341,916

**FOREIGN DOCUMENTS**

EP 0 811 567 A2

International Search Report PCT/US 02/11346

Respectfully submitted,

*Robert B. Sundheim*  
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|--|--|-------------------------------|------------------------------------|
| FORM PTO-1449<br>(REV. 6-89)   | U.S. DEPARTMENT OF COMMERCE<br>PATENT AND TRADEMARK OFFICE | ATTY DOCKET NO.:<br>LM(F)5728 | SERIAL NO. 09/834,067              |
| O I P E<br>JUL 30 2002 c<br><i>(Use several sheets if necessary)</i> | INFORMATION DISCLOSURE<br>STATEMENT BY APPLICANT           | APPLICANT: Locke              | COPY OF PAPERS<br>ORIGINALLY FILED |
|  |  | FILING DATE: April 12, 2001   | GROUP: 2123                        |

## **U.S. PATENT DOCUMENTS**

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AUG 02 2002

## Technology Center 2100

## **FOREIGN PATENT DOCUMENTS**

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

European Search Report PCT/US 02/11346

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation consider d, wheth r r not citation is in conformance with MPEP §609;  
Draw line through citation if n t in conformati on and not consid ered. Include c py of this form with next  
communicati on to th patent applicants' attorney.